

**TESTIMONY of DAVID SUTHERLAND – DIRECTOR OF GOVERNMENT RELATIONS
BEFORE the TRANSPORTATION COMMITTEE – February 14, 2011**

in Support of Bills, 715, 811, 820 and 5104

Of behalf of The Nature Conservancy, I am here today to express our support for Bills , 715, 811, 820 and 5104, which would all require universal registration of All-Terrain Vehicles (ATVs) and/or mandate increased penalties for violations of ATV laws.

Many ATV riders are responsible and law-abiding. A significant number, however, are not and do much serious damage to natural and agricultural lands. Some may argue that we should not burden a whole group of recreational enthusiasts with bureaucratic requirements because of the actions of a few of their colleagues. Yet we do that constantly with all groups of people in our society. Most people are honest and responsible, and yet we all have to abide by many laws and bureaucratic procedures, in order to try to control the dishonest ones among us, and make it easier to apprehend them when they do break the law.

It is extremely difficult to apprehend ATV riders who are trespassing or breaking other laws. I recall the anguish of a farmer I spoke with who described the constant trespassing on and damage to his property by ATV riders, who used chainsaws to re-open trails they had made onto his property after he had chopped trees across them. When he was finally able to confront them one day, they sneeringly said, "You'll never stop us. What are you going to do, shoot us?" before tearing off.

On one of The Nature Conservancy's preserves, the manager wrote: "Trespass has resulted in damage to trails and trail improvements, such as waterbars, unplanned trail creation, tree base scarring, fence destruction, new hedgerow openings to access fields, scared and angry hikers who have been intimidated or harassed. They come equipped with chainsaws, wire and bolt cutters or loppers and they use these tools to remove anything in their way. A donor funded additional fencing and gates at the Preserve. Within one week a 8-ft chain link gate was on the ground. (It is now welded in place to the fence so it can open but not be removed.) ATV's or motorbikes did laps in one field for a short time and within a day there was a rutted, vegetation-free track in the field. One rider was spotted with a firearm in a field frequented with deer but was gone before staff could respond. Seasonal and small streams on the hillside are crossed, creating ruts and spreading the banks resulting in mud-holes."

These are individual incidents, but they are unfortunately far too common among natural and farm land operators. We need the capacity for much stronger penalties, the severity of which would be determined by the courts in individual cases, to have some chance of stopping the most egregious offenders. Unlike many other types of trespassers on land, one or two ATV riders can cause considerable harm. Please give our communities the tools they need to address this increasing problem.